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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) Criminal No. CR 08-0606 SI

15 Plaintiff,)

16 v.)

17 MICHAEL OKUN,)

18 Defendant.)

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20 **STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME**

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22 The above-captioned matter came before the Court on January 23, 2009, for trial setting.

23 The defendant was represented by Jodi Linker, Esq., and the government was represented by
24 Tracie Brown, Assistant United States Attorney. Ted Cassman, Esq., substituted into the case as
25 defense counsel in place of Ms. Linker. The matter was continued to April 17, 2009, at 11:00
26 a.m. for trial setting.

27 The Court made a finding that the time from and including January 23, 2009, through and
28 including April 17, 2009, should be excluded under the Speedy Trial Act, 18 U.S.C.

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§ 3161(h)(8)(A), because the ends of justice served by taking such action outweighed the best interest of the public and the defendant in a speedy trial. The finding was based on the need for the defendant to have reasonable time necessary for effective preparation and for continuity of counsel pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

The parties hereby agree to and request that the case be continued until April 17, 2009, and that the exclusion of time until then be granted. The parties agree and stipulate that the additional time is appropriate and necessary under Title 18, United States Code, § 3161(h)(8)(A), because the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial. This time exclusion will allow defense counsel to effectively prepare, taking into account the exercise of due diligence, and will provide for continuity of counsel for the defendant.

DATED: January 25, 2009

/s/
TED CASSMAN
Counsel for Michael Okun

DATED: January 26, 2009

/s/
JEFFREY R. FINIGAN
Assistant U.S. Attorney

So ordered.

DATED:



SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE

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